



CITY OF NEVADA CITY

CALIFORNIA

CITY OF NEVADA CITY

PROCLAMATION

BY THE MAYOR, REINETTE SENUM

WHEREAS, the yearly observance of Domestic Violence Awareness Month focuses on increasing the public's awareness of the issue of domestic violence, recognizes the trauma experienced by victims of domestic violence abuse, as well as the enormous harm caused to children exposed to such violence; and

WHEREAS, the crime of domestic violence is deeply personal, violates an individual's health and dignity, and profoundly disturbs his or hers sense of security; and

WHEREAS, the problems of domestic violence are not confined to any group of people, but cut across all racial, cultural, sexual orientation, and socioeconomic lines; and

WHEREAS, domestic violence is widespread in Nevada County; in the 2008/2009 fiscal year, Domestic Violence and Sexual Assault Coalition answered 835 crisis calls on their hotline pertaining to domestic violence, provided 2,692 bed nights of safe shelter for 50 women and 43 children

WHEREAS, over 19% of Nevada County Victim/Witness Assistance Center's services to new crime victims in this period were to victims of domestic violence; and

WHEREAS, in 2008 the Nevada County Sheriff's Office responded to 136 calls, took 50 reports and made 26 arrests related to domestic violence, and the Nevada County District Attorney's Office filed 147 criminal charges against those accused of such abuse; and

WHEREAS, the following agencies: Domestic Violence and Sexual Assault Coalition, Tahoe Women's Services, Truckee Police Department, Nevada City Police Department, Grass Valley Police Department, Nevada County Victim/Witness Assistance Center, Sheriff's Office, Probation Department, Child Protective Services, and the District Attorney's Office are committed to working together in a collaborative effort to strengthen the community's Coordinated Response to Domestic Violence; ensure that services are readily available to victims of such abuse; improve domestic violence prevention efforts and hold the perpetrators of such abuse fully accountable; and

NOW, THEREFORE, I, Reinette Senum, Mayor of Nevada City, do hereby proclaim October 2009, as National Domestic Violence Awareness Month and call upon our citizens to join in a coordinated effort to end domestic violence.

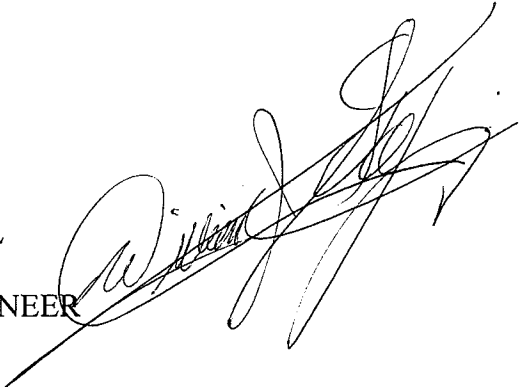
REINETTE SENUM, MAYOR



CITY OF NEVADA CITY

MEMORANDUM

TO: THE HONORABLE CITY COUNCIL
FROM: WILLIAM J. FALCONI, CITY ENGINEER
DATE: SEPTEMBER 17, 2009
SUBJECT: NCTC FUND RELEASE



RECOMMENDED ACTION:

Approve the staff recommended amounts for NCTC, and authorize resolution.

BACKGROUND INFORMATION:

During the fiscal year 2008 – 2009 the City has certain earmarked funds for transportation, sidewalks, and pedestrian/bike improvements. The City staff is requesting that NCTC release the funds in the amounts of \$14,000.00 and \$68,000.00.

DISCUSSION:

Yearly, staff automatically draws down funds to supplement public works projects performed during that year. Each year new allocations become available for City use. Some of the funds are supplemental to other funds such as Measure “S” or gas tax.

RESOLUTION NO. 2009-XX

**A RESOLUTION OF THE CITY COUNCIL OF NEVADA CITY
REQUESTING THE NEVADA COUNTY TRANSPORTATION COMMISSION RELEASE
FUNDS FOR ROAD IMPROVEMENTS**

WHEREAS, certain funds for road improvements may be available from the Transportation Development Act (TDA), Local Transportation Funds (LTF) and Regional Surface Transportation Program (RSTP) Funds in the amount of approximately \$14,000.00; and

WHEREAS, the City of Nevada City is in need of addition funding for City-wide street safety improvements on various surface streets in Nevada City; and

WHEREAS, additional funding may be available in the future.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the City Council of the City of Nevada City as follows:

1. That the City Manager is authorized and directed to make application to the Nevada County Transportation Commission (NCTC) for allocation of available funding in the amount of approximately \$14,000.00 for City-wide street safety improvement projects.
2. That the City Manager request that any additional monies be released by the Nevada County Transportation Commission at the earliest possible opportunity.

Passed and Adopted at a regularly scheduled meeting of the City Council of Nevada City on the 23rd day of September, 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Reinette Senum, Mayor

ATTEST:

Niel Locke, City Clerk

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2. That the City Manager request that any additional monies be released by the Nevada County Transportation Commission at the earliest possible opportunity.

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NOES:

ABSENT:

ABSTAIN:

Reinette Senum, Mayor

ATTEST:

Niel Locke, City Clerk

NEVADA CITY
STREET CLOSURE REQUEST FORM

RECEIVED

SEP 01 2009

City of Nevada City

DATE: 9-1-09

NAME OF EVENT: Indigenous Peoples Days (opening Ceremony)

SPONSORED BY: Tsi-Akim Maidu Indian Tribe

DATE OF EVENT: 10-9-09

TIMES OF CLOSURE: NO PARKING
6:00PM - 8:00PM STREETS CLOSED.

STREETS TO BE CLOSED: Union St

ANTICIPATED SIZE OF CROWD, SPECTATORS, ETC: 200

PARTIES RESPONSIBLE FOR POSTING, CLOSING AND REOPENING STREETS:

Tribal members -
Eileen Moon Don Ryberg
Louella Giordano Linda Lloyd

PARTIES RESPONSIBLE FOR CLEAN-UP: Tribal members of Tsi-Akim Maidu

AMOUNT OF LIABILITY INSURANCE PROVIDED BY SPONSOR FOR EVENT:

SUBMITTED BY: Eileen R. Moon

PHONE (530) 265-4097 or (530) 477-0711

POLICE DEPT. COMMENTS -

POLICE DEPT. RECOMMENDATIONS -

FIRE DEPT. COMMENTS -

Must maintain 14 ft fire lane. SG

FIRE DEPT. RECOMMENDATIONS -

PUBLIC WORKS DEPT. COMMENTS -

PUBLIC WORKS DEPT. RECOMMENDATIONS -

(This completed form must be submitted to the Police Department at least three weeks before the event.)

Resolution 84-2

RECEIVED

SEP 01 2009

City of Nevada City

NEVADA CITY
STREET CLOSURE REQUEST FORM

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SUBMITTED BY: Eileen R. Moon

PHONE (530) 265-4097 or (530) 477-0711

POLICE DEPT. COMMENTS -

POLICE DEPT. RECOMMENDATIONS -

SAME as last year NO problem
Sandra Jovato

FIRE DEPT. COMMENTS -

FIRE DEPT. RECOMMENDATIONS -

PUBLIC WORKS DEPT. COMMENTS -

PUBLIC WORKS DEPT. RECOMMENDATIONS -

(This completed form must be submitted to the Police Department at least three weeks before the event.)
Resolution 84-2

C

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POLICE DEPT. RECOMMENDATIONS -

FIRE DEPT. COMMENTS -

FIRE DEPT. RECOMMENDATIONS -

PUBLIC WORKS DEPT. COMMENTS -

FRIDAY NIGHT 6-8-10 BAD TIME TO CLOSE UNION

PUBLIC WORKS DEPT. RECOMMENDATIONS -

NO PROBLEM WITH PLACING BARRICADES
TRIBE WILL NEED TO DO SHUT DOWN

(This completed form must be submitted to the Police Department at least three weeks before the event.)

Resolution 84-2

**CITY OF NEVADA CITY
SUMMARY MINUTES - DRAFT
CITY COUNCIL MEETING OF AUGUST 26, 2009**

NOTE: This meeting is available to view on the City's website www.cityofnevadacity.gov – Go to Quick Links and Click on Agendas & Minutes and find the Archived Videos in the middle of the screen. Select the meeting date and Click on Video to watch the meeting. The video agenda listed directly below the monitor box has bullet points which you can select to get to a specific agenda item. Click on the desired agenda item which will enable you view the meeting from that point forward. Please contact Deputy City Clerk, Corey Shaver for websites assistance (530) 265-2496, ext 133.

- City Council Meetings are available on DVD. Contact City Hall to order - cost is \$15.00 per DVD.
- Closed Session Meetings are not recorded.

Council Member's Barbara Coffman, Sally Harris, David McKay, Vice Mayor Robert Bergman, Mayor Reinette Senum

NOTICE OF SPECIAL MEETING (CLOSED SESSION)

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF NEVADA CITY WILL HOLD A SPECIAL MEETING AT 6:00 P.M. ON WEDNESDAY, AUGUST 26, 2009 IN THE BERYL P. ROBINSON, JR. CONFERENCE ROOM OF CITY HALL, 317 BROAD STREET, NEVADA CITY, CA TO CONSIDER THE MATTER LISTED BELOW. ANY MEMBER OF THE PUBLIC MAY COMMENT ON THIS ITEM BEFORE ITS CONSIDERATION.

- a. Personal Matters – Pursuant to Government Code Section 54957
 - i. Public Employee Performance Evaluation – City Manager
- b. Conference with Real Property Negotiator – Pursuant to Government code Section 54956.8:
 - i. Real Property APN 36-020-47, and APN 36-020-26 – Sugarloaf Mountain
 - ii. City Negotiator: City Manager Gene Albaugh
 - iii. Under Negotiation: Price and Terms of Sale

No reportable action was taken.

REGULAR MEETING OF THE CITY COUNCIL OF NEVADA CITY

7:00 P.M., WEDNESDAY, AUGUST 26, 2009
BERYL P. ROBINSON, JR. CONFERENCE ROOM - CITY HALL
317 BROAD STREET, GRASS VALLEY, CA 95945
Telephone: (530) 265-2496 – Fax: (530) 265-0187

AGENDA

CALL TO ORDER

ROLL CALL – Present were Council Member's Coffman, Harris, McKay, Vice Mayor Bergman, Mayor Senum

PLEDGE OF ALLEGIANCE

PROCLAMATION: Read by Mayor Senum, the City of Nevada City acknowledging, commending and thanking SPD Market upon the occasion of 50 years of successful business in Nevada City and declare Friday, August 29, 2009 as SPD Market Day in the City of Nevada City.

David Painter, owner of SPD Market came forward to accept the Proclamation and thank the City Council. Councilman McKay replied and acknowledged SPD Market as a model business and community oriented.

BUSINESS FROM THE FLOOR – PUBLIC COMMENT (per Government Code Section 54954.3)

- Diana Hill, Owner of Chief Crazy Horse, 230 Commercial Street – came forward and stating she requested to be placed as action item on tonight's agenda but was not. She's asking the City Council to advocate to ABC (Alcohol Beverage Control) on her behalf regarding their current license. She has a petition with 522 signatures to support the service of food at her establishment.
- Thomas Thornill, Lives in Nevada City came forward and he received a Parking Citation from "City of Nevada" which he believes it is illegal because this is the City of Nevada City.
- Niel Locke, City Clerk came forward and stated that there is nothing in the minutes and the City Seal that says anything different than the "City of Nevada".
- Beth Moore, Gold Country Community Center came forward and speaks on behalf of Chief Crazy Horse, hopes that the City Council will be creative and supportive to Chief Crazy Horse.
- Mathew Compenski, 300 S Pine St, Nevada City and employee of Crazy Horse came forward and he would like to see food sales continue but a condition by ABC says food and/or music has to go. He appeals to the City Council for support.
- Deborah Nichols, Diana's sister, came forward pleading to the City Council to feel proactive and support Diana and her cause with ABC.
- Heather Mile, Bartender for Crazy Horse came forward stating that drinking people need food and we serve late night food.
- Duane Strauser, Board Director Chamber of Commerce came forward and he feels this is a battle worth fighting for Crazy Horse and appeals to City Council to apply all rules to everyone equally regarding food service.
- Shivana Grail, Nevada City resident came forward stating the Crazy Horse has a home atmosphere and is a safe place to go for food and friendship. She doesn't understand the legal ramifications of not being able to serve food.
- Dan, Doorman, employee for Crazy Horse came forward and he states that food is a big thing, the atmosphere is great, has not had to force anything with patrons.
- Nevada City Police Chief Trovato, came forward stating he's had several meetings with ABC and applicant (Diana Hill) – The liquor/food license has restrictions as people change their license and she currently has a Type 48 (no one under 21 years). I told her there was nothing preventing her right now to serve food. ABC approves changes to licenses and has final decision.

Action: - City Manager was instructed by Council to have this item on the next City Council Agenda as an action item.

1. COUNCILMEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

Calanan Park Committee – Councilman Bergman reported that once tools are provided people are willing to clean up.

Tree Committee – Mayor Senum reported there is a meeting scheduled August 27, 2009 and will provide update at the next City Council meeting.

2. CONSENT ITEMS:

None

3. APPROVAL OF MINUTES:

Action: Motion by Coffman, Second by Harris
Approved 4-1 (McKay abstained)

4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

None

PUBLIC HEARINGS

Public Hearing to adopt the 2009-2014 Housing Element and the related implementation items – City Planner Cindy Siegfried introduced Tom Parilo, consultant and presented this item to Council. After the presentation was made, Councilman McKay discussed the proposed changes to the Subdivision Regulations regarding affordable housing and the current Housing Element Policies. At the end of presentation and discussion, Mayor Senum opened the public hearing.

- Laurie Oberholtzer, 310 Nevada St, came forward and distributed a document to the Council; a copy of page 6.00-5 of the 2003 Nevada City Housing Element and page 6-4 of the March 2009 "draft" Nevada City Housing Element (received and filed) and she proposes to keep the existing policy of *thirty percent of all homes shall be affordable to moderate income and below households via deed restriction*.

- Jennifer Barrett, employee of McCamant & Durrett Architects came forward and distributed to Council a testimonial from Chuck Durrett and read it aloud in his absence (received and filed).

- Robert Upton, Nevada City Tech Center came forward and spoke supporting the Housing Element and thanked staff for their efforts. He stated that income restrictions don't work for City, Police (control), development (pricing), buyer (gives up bulk of appreciation). He asked if a working group was set up he offered his participation to be part of it. He presented a preliminary plan to the Council that represents the open space at the Nevada City Tech Center for proposed R-2 and R-3 development.

- Andy Cassano, Nevada City Engineering, represents Nevada City Tech Center, congratulates staff for getting a letter from the state, has R-3 concerns and offers to be on workshop to help. He stated that is would like to see it adopted the way it is.

- Jim Pyle, owner of 1.7 acres at 726 Searls Ave, Parcel 4. He read a prepared statement and thanked staff for a coherent plan.

Mayor Senum closed the Public Hearing at 9:00 p.m.

Discussion proceeded between Council and staff reviewing each of the resolutions and ordinance making minor language modifications and proceeded to vote as follows:

- 1.) Adoption and acceptance of the Negative Declaration of the 2009-2014 Housing Element Update – **Resolution No. 2009-47**

Action: Motion by Bergman, Second by Coffman – Carried 5-0 vote

- 2.) Adoption of the 2009-2014 Housing Element – **Resolution No. 2009-48**

Action: Motion by Coffman, Second by Harris – Carried 5-0 vote

- 3.) Adoption of Amendments to the Land Use Element of the 1986 General Plan – **Resolution No. 2009-49**

Action: Motion by Coffman, Second by Harris – Carried 5-0 vote

- 4.) Conduct **FIRST READING of Ordinance No. 2009-06** Amending Title 17 Zoning Regulations of the 2007 Nevada City Municipal Code

Action: Motion by Coffman (read title only), Second by Bergman - Carried 4-1 vote (Mckay)

- 5.) Conduct **FIRST READING of Ordinance No. 2009-07** Amending Section 16.04.054 Title 16 Subdivision Regulations of the 2007 Nevada City Municipal Code.

Discussion: In Section Two, language was modified to Section 16.04.054 to read as follows:

Thirty percent of all homes located in new subdivisions shall be 1,500 square feet or smaller. These homes shall be affordable to moderate and below income households. This shall be accomplished through deed restrictions or through an affordable housing plan that includes moderate and below income housing opportunities accomplished through a variety of mechanisms including, but not limited to, size restrictions, rental units, second units, etc. The plan shall be approved by the Planning Commission and/or City Council.

Action: Motion by Coffman (read title only), Second by Bergman – Carried 5-0 vote

5. OLD BUSINESS:

No Old Business

6. NEW BUSINESS:

- Street Closure Request from 49er Breakfast Rotary Club

Action: Motion by Coffman, Second by Harris – Carried 4-0 (Mayor Senum recused herself)

- Consider a Proposal Fire Chief of Grass Valley to form an AdHoc Multi-Agency Committee to make recommendations for the further integration of the Fire Service/EMS. After discussion, Councilwoman Harris will sit on the committee.

Action: Motion by McKay, Second by Coffman – Carried 5-0 vote.

7. CORRESPONDENCE:

Action: Received and Filed.

8. ANNOUNCEMENTS:

Action: City Manager distributed a report to Council members – Received and Filed.

9. ADJOURNMENT

The meeting was adjourned at 10:31 p.m. by Mayor Senum

Reinette Senum, Mayor

ATTEST:

Niel Locke, City Clerk

**CITY OF NEVADA CITY
SUMMARY MINUTES - DRAFT
CITY COUNCIL MEETING OF SEPTEMBER 9, 2009**

NOTE: This meeting is available to view on the City's website www.cityofnevadacity.gov – Go to Quick Links and Click on Agendas & Minutes and find the Archived Videos in the middle of the screen. Select the meeting date and Click on Video to watch the meeting. The video agenda listed directly below the monitor box has bullet points which you can select to get to a specific agenda item. Click on the desired agenda item which will enable you view the meeting from that point forward. Please contact Deputy City Clerk, Corey Shaver for websites assistance (530) 265-2496, ext 133.

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Council Member's Barbara Coffman, Sally Harris, David McKay, Vice Mayor Robert Bergman, Mayor Reinette Senum

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AGENDA

CALL TO ORDER

ROLL CALL – Present were Council Member's Coffman, Harris, McKay, Vice Mayor Bergman, Mayor Senum

- Request for the City to Advocate to the State of California Dept of Alcohol & Beverage Control on Behalf of Diana Hill, Business Owner dba Crazy Horse, at 203 Commercial Street, to Support and Help Resolve Outstanding Issues Between the Owner and the State ABC

Action:

- Duane Strawser, President Nevada City Chamber of Commerce came forward and reported the following:

Hours of operation, age/s allowed, music/noise limitations, etc:

The Chief Crazy Horse will be:

- 1) Allowed to stay open for business 7-days a week until 2 a.m. (previous wording was Sun-Wed only until 12:30 a.m. I believe)
- 2) Music allowed until 12 a.m. (midnight) Sun. – Wed. (within allowed volume levels as stated in City of Nevada City noise ordinance)

- 3) Music allowed until 2 a.m. Thur.-Sat. (within allowed volume levels as stated in City of Nevada City noise ordinance)
- 4) Under 18 yrs. allowed for food until 9 p.m. with implemented controls (i.e.: wrist-banding or similar system) by Crazy Horse staff.
- 5) Ages between 18-21 allowed for food & music until 12 a.m. (midnight) with implemented controls (i.e.: wrist-banding or similar system). Diane Hill has stated that she will probably only allow 18-20 yr old patrons to remain on premises until 10:30 p.m. (vs. 12 a.m.) and that is her option.
- 6) Re-do wording of "music/noise" limitations to state something like:
"Live/recorded music is allowed within the volume levels applied to other similar music venues/establishments within Nevada City limits and enforced by Nevada City Police department as stated in City of Nevada City music/noise ordinance # _____.
Complaints or excessive volume levels by citizen's and/or City of Nevada City officials may result in future limitations of musical offerings at the establishment listed in this contract."
Basically we have asked that the wording in the license agreement state that Diane/Crazy Horse will be limited no more or no less to musical noise level limitations than the other similar venues/merchants in town that also offer similar musical performances at their establishments.
- 7) Crazy Horse staff is responsible for crowd gatherings in/near the entrance to their establishment due to their presentation of musical performances, as well as enforcing any/all health and safety codes that apply to similar bar/restaurant establishments (i.e. smoking within 20' of their premises).

ADJOURNMENT

- Special Meeting Adjourned at 6:18 p.m.

REGULAR MEETING OF THE CITY COUNCIL OF NEVADA CITY

7:00 P.M., WEDNESDAY, SEPTEMBER 9, 2009

BERYL P. ROBINSON, JR. CONFERENCE ROOM - CITY HALL

317 BROAD STREET, GRASS VALLEY, CA 95945

Telephone: (530) 265-2496 – Fax: (530) 265-0187

AGENDA

CALL TO ORDER

ROLL CALL – Present were Council Member's Coffman, Harris, McKay, Vice Mayor Bergman, Mayor Senum

PLEDGE OF ALLEGIANCE

PROCLAMATION: Read by Mayor Senum –

1. Proclamation of Constitution Week – September 17th-23rd – Accepted by Jenelle Dalton, representing the Daughters of the American Revolution
2. Proclamation of 150th Anniversary of Nevada City's Miner's Foundry and Open House on September 27, 2009 (no one present to accept)

BUSINESS FROM THE FLOOR – PUBLIC COMMENT (per Government Code Section 54954.3)

- Niel Locke, City Clerk, City of Nevada – Member of the California Preservation Foundation Steering Committee announced a conference scheduled on May 12-15, 2010 at the Miner's Foundry.

1. COUNCILMEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

SEDD Corp Committee – Councilmember Harris reported that the principle purpose of the meeting was the celebration for their 40th Anniversary, she heard from businesses that borrowed funding from SEDD and how significant their contribution is to our region in putting these loans together. Also, RF Stimulus funding becomes available quickly for projects that are ready to go, i.e. parking lot, City Manager looking into projects.

NCEET – Councilmember Harris reported that she and Councilmember Barbara attended the NCEET meeting – may not be necessary to continue meetings now that there is a prospective marriage between the Chamber of Commerce and Nevada City Downtown Association, therefore joint meetings to possibly be reduced to twice/annual instead of quarterly. Other events coming are the sidewalk sale, Victorian Christmas, AMGEN Tour. Reminder: Sign Committee to make presentation to Planning Commission in early December and to City Council later in December.

Economic Resource Council - Councilmember Bergman reported an application was submitted for large broadband project – Several stages for review will happen prior to funding.

Park & Recreation Committee - Canceled

Mayor Senum reported that the AMGEN 9/8/09 meeting – Meeting with Mayors and collaborate with Grass Valley to cross publicize for the events - AMGEN, Nevada City Classic

2. CONSENT ITEMS:

- A. Fire Dept Report for August 2009
- B. Police Dept Report for July 2009
- C. Approval of Accounts Payable for August 2009

Action: Motion by Coffman, Second by Bergman
Approved 5-0

3. APPROVAL OF MINUTES:

- Glenda Zanone, Nevada City Resident, came forward and stated that the Summary Minutes are to brief and many people don't have access to electronics, no idea what City Councilmembers said regarding the Housing Element.
 - Councilwoman Coffman stated when discussing Ordinances and Resolutions that language changes should reflect in the Summary Minutes. Also, recommends that at the "top" of the Summary Minutes should provide instructions to find the City Council Meeting video on the City's website.
 - Councilman McKay stated the Summary Minutes are to brief for discussion such as the Housing Element. He indicated that he saves the Minutes and uses as a reference prompt.
 - Councilwoman Harris stated she too, would like to see disclosures on the Summary Minutes on how to obtain a DVD and website instructions to view the video. She also stated that the Minutes before were so detailed.
 - City Manager Albaugh stated that majority of cities use Summary Minutes.
 - City Engineer Falconi stated the 40 years ago minutes were summary compared to recent.
- Action:** Councilwoman Harris asked that staff bring the Summary Minutes back next meeting with corrections/instructions.

4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- Softball game challenge to Nevada City from Grass Valley – Mayor Swarthout and former Park & Recreation Director, Sandy Jacobson present on behalf of Howard Levine. Game is scheduled for Sunday, October 11, 2009, time to be announced.
- Strategic Plan Update
 - Councilwoman Harris stated language is missing on Page D, at the bottom and needs to be clarified. Full packet to be on website – target date set is the first City Council Meeting in November 2009.
 - Councilman Bergman stated that Page E, No. 2 has new date of Nov 1, 2009.
- Resolution 2009-XX – Write-off of Uncollectible Bad Debts to the City for Fiscal year 2008-09
 - Councilwoman Coffman stated the City has the ability to lien properties and recommends that each debt be analyzed before writing off.
 - City Manager Albaugh indicated these are debts are within 18 months old for various reasons.
 - Councilwoman Harris suggested that this item be brought back to the next council meeting with clarification.

PUBLIC HEARINGS

None

5. OLD BUSINESS:

- Medical Marijuana Dispensaries – City Council discussed whether the City to allow a medical marijuana dispensary.

Action: Motion by McKay to direct staff to draft an ordinance banning medical marijuana dispensaries.

Public Comment was made as follows:

- The following individuals came forward and gave testimony in FAVOR of banning medical marijuana dispensaries in Nevada City: Jim Adams Nevada City Resident - Corine Parilo School Board Trustee - Ralph Swenson, Superintendent NUJHSD - Holly Hermonson - Gabe Pearson, Student at Jamison School - Cliff Newell, Nevada County District Attorney - Lowel Lindsay 11 Heilman Ct Nevada City – Susan Reynolds, Nevada City Resident.

- The following individuals came forward and gave testimony in OPPOSITION of banning a medical marijuana dispensaries in Nevada City: Ryan Landers, Director for medical cannabis – Lacey McFarland – Tom Weisley, resident outside Nevada City – Penny, resident outside Nevada City – John Stovil, Penn Valley resident – Harry Bennett, Spring St Nevada City – Steve Munklet, Nevada City Attorney – Sadie Weinberger

- The following individuals came forward and gave testimony stating NO POSITION: Christine Weir, student Nevada Union High School.

- The following individual came forward and stated that bans are illegal and it's the City's responsibility to provide a dispensary under Law 215.

Mayor Senum closed Public Comment.

Discussion proceeded between Council each giving testimony.

Action: Motion by McKay to direct staff to draft an ordinance banning medical marijuana dispensaries, Second, Harris
Approved 3-2 (Mayor Senum, Coffman)

6. NEW BUSINESS:

- Update of Current Work Projects with the City and Friends of Deer Creek
Joanne Hild, Executive Director of Friends of Deer Creek came forward and thanked the Council for Nevada City's collaborative efforts with Friends of Deer Creek. She provided a brief summary on current projects and clean-up options/grant proposals. More to report at the next Council meeting.

- Consider Resolution No. 2009-XX, Initiating Rule 20A under grounding Project.

Action: Motion by Harris to direct staff to move forward on Upper Broad Street, Second
McKay

7. CORRESPONDENCE:

Action: Received and Filed.

8. ANNOUNCEMENTS:

Action: City Manager distributed a report to Council members – Received and Filed.

Action: Mayor Senum announced a time change for the Saturday Grower's Market from 12 from 8:00 a.m.-Noon to 9:00-1:00 p.m. effective September 12, 2009.

9. CLOSED SESSION

Action: Motion by Harris to adjourn to closed session, Second by Coffman
Approved 5-0

10. REPORT OF CLOSED SESSION

- No reportable action was taken.

11. ADJOURNMENT

Action: Motion by McKay, Second Bergman, Approved 5-0
The meeting was adjourned at 10:05 p.m. by Mayor Senum

Reinette Senum, Mayor

ATTEST:

Niel Locke, City Clerk